

REMARKS

Reconsideration of the application is requested in view of the amendment to the claims and the remarks presented herein.

The claims in the application are claims 1 to 3 and 9 to 12, all other claims having been cancelled.

Applicant's Attorney wishes to thank the Examiner for the courtesies extended to him at the interview on November 30, 2006 at which time the final rejection was discussed.

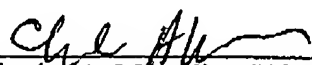
Claims 1 to 3 and 6 to 12 have been rejected under 35 USC 122 as being anticipated by or under 35 USC 103 as being obvious over Shimizu et al Patent or the Takashimo et al Patent. Applicant's arguments were not deemed to be commensurate in scope with the claims.

Applicant respectfully traverses these rejections since neither reference relates to the production of refractory materials to which the claims have been limited to. The claims now call for incorporating into the refractory materials which are well-known in the art to be materials such as magnesia, dolomite, bauxite or andalusite the mixture of the polycondensation product and at least one phenolic compound and then forming the refractory material.

The Takashima and Shimizu patents both all relate not to the refractory field but to the use of a binder in the foundry industry. The sand is coated with the binder and they are building a shaped form. This form is destroyed when the hot steel contacts the form. The result is a new form made of steel. The function of the binder in the foundry industry is different from the binder in the refractory industry. The whole structure of binder/sand does not build a solid shape at high temperature -- to the contrary, it is an intention that the structure is destroyed. Binders in the foundry do not have a high oxidation resistance and after the carbonization a high carbon yield normally. Therefore it was not obvious to use a binder produced by reacting a bisphenol residue with an aldehyde in an acid medium in the refractory industry. Therefore, the references do not anticipate or render obvious Applicant's invention and withdrawal of these grounds of rejection is requested.

In view of the amendments to the claims and the above remarks, it is believed that the claims point out Applicant's invention. Therefore, favorable reconsideration of the application is requested.

Respectfully submitted,
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CAM:mlp
Enclosures

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